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27488 7590 03/21/2007 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER SINGH, RACHNA	
			ART UNIT	PAPER NUMBER
			2176	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/598,856	Applicant(s) RUCKER ET AL.	
	Examiner Rachna Singh	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendments and Remarks filed on 12/19/06.

2. Claims 1-14 and 16-28 are pending. Claims 1, 5, 13 and 21 are independent claims. Claims 1-5, 8-9, 13, 16-22, and 24-25 have been amended.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) in view of Miller et al., US 2005/0055306 A1, 03/10/05 (filed 10/20/04, division of application filed on 09/21/99).

Applicant has provided evidence in this file showing that the invention was owned by, or subject to an obligation of assignment to, the same entity at the time this invention was made, or was subject to a joint research agreement at the time this invention was made. However, reference Brown et al. additionally qualifies as prior art

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under another subsection of 35 U.S.C. 102, and therefore, is not disqualified as prior art under 35 U.S.C. 103(c).

Applicant may overcome the applied art either by a showing under 37 CFR 1.132 that the invention disclosed therein was derived from the invention of this application, and is therefore, not the invention "by another," or by antedating the applied art under 37 CFR 1.131.

In reference to claim 1, Brown teaches a simultaneous multi-user editing of a document which meets the preamble, ***a method for enabling simultaneous multi-user editing of an original document***. See abstract. Brown's system comprises the following:

- Allowing a user to access a document for editing which meets the limitation, ***receiving a request form a first user to open the original document***. See column 1, lines 45-55.

- Recognizing multiple-user editing of the document which meets the limitation, ***determining whether the original document is open at a second user***. See column 2, lines 45-65 and column 18, lines 45-65

- Creating a local copy of the document for editing by each user where the first copy duplicates the master copy. Brown teaches creating a local copy of the document for editing by each user where the first copy duplicates the master copy. See column 18, lines 45-65 and column 2, lines 45-65. It is inherent in Brown's system that the duplicate copies of the master copy would be linked to the path of the original document

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that is used by the MCF which meets the limitation, ***in response to a determination that the original document is open at the second user user, creating a local copy and storing a path of the original document with the local copy.*** See column 18, lines 45-65 and column 2, lines 45-65.

-In response to a save operation, if a current edit is being made to a paragraph in the master copy, the user's local copy is updated to correlate with the latest saved version of the master copy, while preserving current edits still pending. If an edit is not being made by another user, then updating the local copy with the latest saved version of the master copy which meets the limitation, ***in response to a receipt of a request to save changes to the local copy, determining whether the original document is still open at the second user; in response to a determination that the original document is still open at the second user, merging the local copy with the original document.*** See figures 2A-2E and figure 3 and column 11, lines 15-67.

Regarding the limitation, "wherein the second user has exclusive rights to save the original document while the original document is open at the second user", Brown teaches that if user is the first to access a master copy then the MCF is created and locked when the first user is making a save operation, all other users are denied access to the MCF. See column 12, lines 26-51.

Brown teaches creating a local copy of the document for editing by each user where the first copy duplicates the master copy. See column 18, lines 45-65 and column 2, lines 45-65. It is inherent in Brown's system that the duplicate copies of the master copy would be linked to the path of the original document that is used by the

MCF. The "MCF" is a multi-user control file where all the edits by users are ultimately saved; however, it does not serve as a central server where the user edits the master copy residing on a central server. Instead the MCF serves to save a control file in the resident system memory on the file server as well as a copy on the local resident memory of a user. User 1 and User 2 can create a "record" within the MCF for a master copy where it includes a version identifier. A master copy and a duplicate copy of the user record file for a user can then be copied to the local resident memory of the user's remote computer to create a local copy of the document and a local copy of the record file. The user is then able to view and edit the local copy of the master copy as desired. The master copy remains intact on the file server. See columns 11-12. In other words, the edits made by the user are made to the local copy, not the master copy residing on a central server process. The local copy inherently contains a path to the master copy as is illustrated by the "save" aspect of the system. When a user completes his edits and wishes to save the edits made to the local copy, the system first determines whether the MCF (multi user control file) is available for updates. This step inherently involves storing the path of the original or master document with the local copy and "storing the path of the original document with the local copy of the original document". See columns 11-12.

Brown does not necessarily teach prompting a user to decide between saving the local copy with the path of the original document such that a subsequent merge of the saved local copy and the original document can be performed, and saving the local copy as a separate file as compared to the original document in response to a

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determination that the original document is still open at a second user; however, Miller does.

Miller teaches a system in which users can check in and out files. Only the user who has checked out a file can save changes to a file. A person cannot replace a file if it is checked out by another user which meets the limitation ***in response to a determination that the original document is still open at a second user***. A user can upload a new version of the file by specifying the location of the file on disk or can indicate that the version of the file currently in the repository is to be retained. See page 10, paragraphs [0175]-[0177]. A user has the option of modifying a file and either uploading it as a new file or different version of a current one, but the file can only be replaced if the user has checked it out which meets the limitation ***prompting the first user to decide between saving the local copy with the path of the original document such that a subsequent merge of the saved local copy and the original document can be performed, and saving the local copy as a separate file compared to the original document***. See page 9, paragraphs [0166]-[0173].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Miller's prompting a user to decide on either uploading a new file or replacing the old file in the system of Brown because in a collaborative environment it was desirable to limit the replacing of a file by saving changes when the file was in use by another user in order to better manage the edits made to a document. See page 8, paragraphs [0119]-[0137] and page 10, paragraphs [0175]-[0177].

In reference to claim 2, Brown teaches a unlock/lock flag associated with a master copy to indicate whether the copy is in use or not by another user. See column 11, lines 43-50.

In reference to claim 4, Brown teaches that In response to a save operation, if a current edit is being made to a paragraph in the master copy, the user's local copy is updated to correlate with the latest saved version of the master copy, while preserving current edits still pending. Once the local copy is merged with the master copy, the edits are saved in the master copy for future use. See figures 2A-2E and figure 3 and column 11, lines 15-67.

In reference to claim 5, Brown teaches a simultaneous multi-user editing of a document. See abstract. Brown's system comprises the following:

- Allowing a user to access a document for editing. See column 1, lines 45-55.

Compare to ***"receiving a request from a first user to open the original document"***.

- Recognizing multiple-user editing of the document. See column 2, lines 45-65 and column 18, lines 45-65. Creating a local copy of the document for editing by each user where the first copy duplicates the master copy. Brown teaches creating a local copy of the document for editing by each user where the first copy duplicates the master copy. See column 18, lines 45-65 and column 2, lines 45-65. It is inherent in Brown's system that the duplicate copies of the master copy would be linked to the path of the original

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document that is used by the MCF. Compare to ***“in response to a determination that the original document is in use by a second user, creating and storing a local copy and storing a path of the original document with the local copy”***. See column 18, lines 45-65 and column 2, lines 45-65.

-Upon a user saving and closing the master copy, the user version number is compared to that one user to the master copy version identifier number and based on that comparison, reconciling the master copy and the local copy of the document. If there is a conflict, the reconciliation waits until the pending edits takes place. Meanwhile, a different user can access the master copy. See columns 13-14, “Reconciliation Procedure” and “Conflict Resolution Procedure”, lines 43-52. See also figures 2A-2E and 3 and columns 11, lines 15-67 and 18-19. Compare to ***“notifying the first user that the original document is no longer in use”***.

Brown does not necessarily teach prompting a user to determine whether to merge changes made in the local copy into the original document or periodically determining if the original document is still in use by another user; however, Miller does.

Miller teaches a system in which users can check in and out files. Only the user who has checked out a file can save changes to a file. A person cannot replace a file if it is checked out by another user. A user can upload a new version of the file by specifying the location of the file on disk or can indicate that the version of the file currently in the repository is to be retained. See page 10, paragraphs [0175]-[0177]. A user has the option of modifying a file and either uploading it as a new file or different

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version of a current one, but the file can only be replaced if the user has checked it out.

See page 9, paragraphs [0166]-[0173].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Miller's prompting a user to decide on either uploading a new file or replacing the old file in the system of Brown because in a collaborative environment it was desirable to limit the replacing of a file by saving changes when the file was in use by another user in order to better manage the edits made to a document. See page 8, paragraphs [0119]-[0137] and page 10, paragraphs [0175]-[0177].

In reference to claim 6, recognizing multiple-user editing of the document. See column 2, lines 45-65 and column 18, lines 45-65. Creating a local copy of the document for editing by each user where the first copy duplicates the master copy. See column 18, lines 45-65 and column 2, lines 45-65.

In reference to claim 8, upon a user saving and closing the master copy, the user version number is compared to that one user to the master copy version identifier number and based on that comparison, reconciling the master copy and the local copy of the document. If there is a conflict, the reconciliation waits until the pending edits takes place. Meanwhile, a different user can access the master copy. See columns 13-14, "Reconciliation Procedure" and "Conflict Resolution Procedure", lines 43-52. See also figures 2A-2E and 3 and columns 11, lines 15-67 and 18-19.

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5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) in view of Miller et al., US 2005/0055306 A1, 03/10/05 (filed 10/20/04, division of application filed on 09/21/99), as applied to claim 5 above, and further in view of Pham et al., US 6,560,719 B1, 6,560,719B1, filed 5/17/00.

In reference to claim 7, Pham teaches a system in which a remote platform is enabled to duplicate each registry key change in a local platform. See abstract. Pham also teaches that a backup of a registry key from a local computer to a remote computer is kept in order to synchronize the data involved upon the occurrence of any changes. Furthermore, a duplicate copy is always stored and available should any problem occur with the local platform such as a modification. See column 2, lines 45-67. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate registry key association with a local copy in the system of Brown because it keeps the user from having to provide a manual backing-up of the registry keys everytime something is updated. See column 2, lines 1-15. Furthermore, it saves a considerable amount of time and effort to accomplish the synchronization process. See column 2.

6. Claims 13-14, 16, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) in view of Pham et al., US 6,560,719 B1, 6,560,719B1, filed 5/17/00.

In reference to claim 13, Brown teaches a simultaneous multi-user editing of a document. See abstract. See figure 2A for the file server. Compare to ***“a file server operative to maintain an original document at a document location; a first local document editor of a first user operative to make changes to the original document”***. Brown teaches a unlock/lock flag associated with a master copy to indicate whether the copy is in use or not by another user. See column 11, lines 43-50. Compare to ***“set a flag on the original document, the flag indicating that the original document is open at the first user”***. If the flag is locked, then there is a specified amount of time to allow the master file to be set in unlock mode so that the user's local copy overwrites the master copy. See figures 2A-2E.

Regarding the limitation, ***“wherein the first user has exclusive rights to save the original document while the original document is open at the first user”***, Brown teaches that if user is the first to access a master copy then the MCF is created and locked when the first user is making a save operation, all other users are denied access to the MCF. See column 12, lines 26-51.

Brown teaches a second user can request access to the master copy upon which a local copy is provided. See columns 11-12.

Brown further teaches that a user's local copy must first be updated from the master copy before a local copy can be saved. The user's latest saved local copy is compared to the master copy in a paragraph-by-paragraph manner to determine if any subsequent edits made to the master copy were to a specific paragraph that was edited by the user since the last save operation. Thus it identifies whether conflicts are

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present with respect to any of the current edits being made. If there are conflicts, a dialog box is displayed to the user interface screen that displays the conflicts that are present and requests the user to either "accept" or "reject" each of the conflicting previous edits. See column 14 "Conflict Resolution Procedure". See columns 13-14. See column 3, lines 30-67. Compare to ***"in response to determination that the flag is set. . .create a local copy of the original document and to store the document location with the local copy, so that the change to the local copy can be merged with the original document at a later time."***

Miller teaches the processor at the same time creates a local copy of the document for the remote user and assigns the master copy of the document and the local copy of the document version identifier numbers. The processor of each remote computer then accesses the MCF on the shared server. The MCF tracks the version identifiers of the various documents and controls the timing of access to the master copy when each respective local user attempts to save edits. See column 3, lines 30-67. However, Miller does not expressly state storing the document location with the ***local copy as a registry key associated with the local copy.***

Pham teaches a system in which a remote platform is enabled to duplicate each registry key change in a local platform. See abstract. Pham also teaches that a backup of a registry key from a local computer to a remote computer is kept in order to synchronize the data involved upon the occurrence of any changes. Furthermore, a duplicate copy is always stored and available should any problem occur with the local platform such as a modification. See column 2, lines 45-67. It would have been

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obvious to a person of ordinary skill in the art at the time of the invention to incorporate registry key association with a local copy in the system of Brown because it keeps the user from having to provide a manual backing-up of the registry keys every time something is updated. See column 2, lines 1-15. Furthermore, it saves a considerable amount of time and effort to accomplish the synchronization process. See column 2.

In reference to claim 14, Brown teaches recognizing multiple-user editing of the document. See column 2, lines 45-65 and column 18, lines 45-65. Creating a local copy of the document for editing by each user where the first copy duplicates the master copy. See column 18, lines 45-65 and column 2, lines 45-65.

In reference to claim 16, If the flag is locked, then there is a specified amount of time to allow the master file to be set in unlock mode so that the user's local copy overwrites the master copy. See figures 2A-2E.

In reference to claim 21, Brown teaches a simultaneous multi-user editing of a document. See abstract. Compare to ***"a method for enabling simultaneous multi-user editing of an original document file without reference to a multi-user control file"***. Brown's system comprises the following:

-Allowing a user to access a document for editing. See column 1, lines 45-55.

Compare to ***"receiving a request from a first user to open the original document"***.

-Recognizing multiple-user editing of the document. Compare to ***“determining whether the original document is in use by a second user”***. See column 2, lines 45-65 and column 18, lines 45-65

-Creating a local copy of the document for editing by each user where the first copy duplicates the master copy. Compare to ***“in response to a determination . . . creating a local document file. . . and storing a path of the original document. . .”***. See column 18, lines 45-65 and column 2, lines 45-65.

-In response to a save operation, if a current edit is being made to a paragraph in the master copy, the user's local copy is updated to correlate with the latest saved version of the master copy, while preserving current edits still pending. If an edit is not being made by another user, then updating the local copy with the latest saved version of the master copy. See figures 2A-2E and figure 3 and column 11, lines 15-67. Brown teaches creating a local copy of the document for editing by each user where the first copy duplicates the master copy. See column 18, lines 45-65 and column 2, lines 45-65. It is inherent in Brown's system that the duplicate copies of the master copy would be linked to the path of the original document that is used by the MCF. Compare to ***“in response to a receipt of a request to save changes. . . determining whether the original document is still in use by another user; in response to a determination that the original document is not still in use by another user, merging the local copy with the original document; in response to a determination that the original document is still in use by another user, saving the local document file with the path. . . part of the local document file.”***

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- Brown teaches that a user's local copy must first be updated from the master copy before a local copy can be saved. The user's latest saved local copy is compared to the master copy in a paragraph-by-paragraph manner to determine if any subsequent edits made to the master copy were to a specific paragraph that was edited by the user since the last save operation. Thus it identifies whether conflicts are present with respect to any of the current edits being made. If there are conflicts, a dialog box is displayed to the user interface screen that displays the conflicts that are present and requests the user to either "accept" or "reject" each of the conflicting previous edits. See column 14 "Conflict Resolution Procedure". See columns 13-14. Compare to ***"in response to a request from a user to open the saved local document file, prompting the user to merge. . .the original document file; wherein the original document file is progressively updated with merged edits. . .may be accessed by subsequent editors"***.

Miller teaches the processor at the same time creates a local copy of the document for the remote user and assigns the master copy of the document and the local copy of the document version identifier numbers. The processor of each remote computer then accesses the MCF on the shared server. The MCF tracks the version identifiers of the various documents and controls the timing of access to the master copy when each respective local user attempts to save edits. See column 3, lines 30-67. However, Miller does not expressly state storing the document location with the ***local copy as a registry key associated with the local copy***.

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Pham teaches a system in which a remote platform is enabled to duplicate each registry key change in a local platform. See abstract. Pham also teaches that a backup of a registry key from a local computer to a remote computer is kept in order to synchronize the data involved upon the occurrence of any changes. Furthermore, a duplicate copy is always stored and available should any problem occur with the local platform such as a modification. See column 2, lines 45-67. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate registry key association with a local copy in the system of Brown because it keeps the user from having to provide a manual backing-up of the registry keys every time something is updated. See column 2, lines 1-15. Furthermore, it saves a considerable amount of time and effort to accomplish the synchronization process. See column 2.

In reference to claim 22, Brown teaches a simultaneous multi-user editing of a document. See abstract. Brown's system comprises the following:

-Allowing a user to access a document for editing. See column 1, lines 45-55.

Compare to ***"receiving a request form a first user to open the original document"***.

-Recognizing multiple-user editing of the document. See column 2, lines 45-65 and column 18, lines 45-65. Creating a local copy of the document for editing by each user where the first copy duplicates the master copy. Compare to ***"in response to a determination . . . creating a local copy and storing a path of the original document"***. See column 18, lines 45-65 and column 2, lines 45-65.

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-Upon a user saving and closing the master copy, the user version number is compared to that one user to the master copy version identifier number and based on that comparison, reconciling the master copy and the local copy of the document. If there is a conflict, the reconciliation waits until the pending edits takes place. Meanwhile, a different user can access the master copy. See columns 13-14, "Reconciliation Procedure" and "Conflict Resolution Procedure", lines 43-52. See also figures 2A-2E and 3 and columns 11, lines 15-67 and 18-19. Compare to ***"notifying the first user that the original document is no longer in use. . .merging changes. . .identified by the stored path"***.

In reference to claim 23, upon a user saving and closing the master copy, the user version number is compared to that one user to the master copy version identifier number and based on that comparison, reconciling the master copy and the local copy of the document. If there is a conflict, the reconciliation waits until the pending edits takes place. Meanwhile, a different user can access the master copy. See columns 13-14, "Reconciliation Procedure" and "Conflict Resolution Procedure", lines 43-52. See also figures 2A-2E and 3 and columns 11, lines 15-67 and 18-19.

Regarding claim 24, Brown teaches a unlock/lock flag associated with a master copy to indicate whether the copy is in use or not by another user. See column 11, lines 43-50.

7. Claims 3 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) in view of Miller et al., US 2005/0055306 A1, 03/10/05 (filed 10/20/04, division of application filed on 09/21/99), as applied to claim 1, above, and further in view of Moody et al., US 5,890,177, 3/30/99 (filed 4/24/96).

Regarding claims 3 and 9-10, neither Brown nor Miller disclose creating an email note with the local copy as an attachment and sending the email note to another user for the subsequent merge. Moody discloses that after producing the document, the author may desire to obtain comments from three review editors, which comments the author will then consider in order to produce a final document. Accordingly, the author makes three copies, 202, 204 and 206, of the document 200 as shown in FIG. 2A. These copies are then transmitted to the three editors, Editor A, Editor B and Editor C. The copies can be transmitted over a local area network, via the internet, or e-mail. See figure 2A and column 4, lines 20-45. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Moody's emailing of local copies to various users in the system of Brown/Miller because it helps facilitate the feedback process in editing a document.

8. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) and Pham et al., US 6,560,719 B1,

6,560,719B1, filed 5/17/00, as applied to claim 21 above, and further in view of Moody et al., US 5,890,177, 3/30/99 (filed 4/24/96).

Regarding claims 25-26, neither Brown nor Pham discloses creating an email note with the local copy as an attachment and sending the email note to another user for the subsequent merge. Moody discloses that after producing the document, the author may desire to obtain comments from three review editors, which comments the author will then consider in order to produce a final document. Accordingly, the author makes three copies, 202, 204 and 206, of the document 200 as shown in FIG. 2A. These copies are then transmitted to the three editors, Editor A, Editor B and Editor C. The copies can be transmitted over a local area network, via the Internet, or e-mail. See figure 2A and column 4, lines 20-45. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Moody's emailing of local copies to various users in the system of Brown/Pham because it helps facilitate the feedback process in editing a document.

9. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) in view of Miller et al., US 2005/0055306 A1, 03/10/05 (filed 10/20/04, division of application filed on 09/21/99) and Moody et al., US 5,890,177, 3/30/99 (filed 4/24/96), as applied to claim 10 above, and further in view of Thorne et al., US 5,958,005, 11/28/99 (filed 7/17/97).

In reference to claims 11-12, Moody teaches emailing local copies to the editors; however, Moody does not teach inserting a default entry into the subject or message body field of the email note; however, Thorne does. Thorne teaches a method for communicating data text messages such as e-mail in which the fields are filled with default values so that the user can retain all the values without having to compose the message. See column 7, lines 1-15 and abstract. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Thorne's default entry into email fields in the system of Moody since a default entry keeps the user from having to enter information into the fields. See column 7, lines 1-15 of Thorne.

10. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) and Pham et al., US 6,560,719 B1, 6,560,719B1, filed 5/17/00 and Moody et al., US 5,890,177, 3/30/99 (filed 4/24/96), as applied to claim 25 above, and further in view of Thorne et al., US 5,958,005, 11/28/99 (filed 7/17/97).

In reference to claims 27-28, Moody teaches emailing local copies to the editors; however, Moody does not teach inserting a default entry into the subject or message body field of the email note; however, Thorne does. Thorne teaches a method for communicating data text messages such as e-mail in which the fields are filled with default values so that the user can retain all the values without having to compose the message. See column 7, lines 1-15 and abstract. It would have been obvious to one of

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ordinary skill in the art at the time of the invention to incorporate Thorne's default entry into email fields in the system of Moody since a default entry keeps the user from having to enter information into the fields. See column 7, lines 1-15 of Thorne.

11. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) in view of Pham et al., US 6,560,719 B1, 6,560,719B1, filed 5/17/00, as applied to claim 13, above, and further in view of Moody et al., US 5,890,177, 3/30/99 (filed 4/24/96).

Regarding claims 17-18, neither Brown nor Pham disclose creating an email note with the local copy as an attachment and sending the email note to another user for the subsequent merge. Moody discloses that after producing the document, the author may desire to obtain comments from three review editors, which comments the author will then consider in order to produce a final document. Accordingly, the author makes three copies, 202, 204 and 206, of the document 200 as shown in FIG. 2A. These copies are then transmitted to the three editors, Editor A, Editor B and Editor C. The copies can be transmitted over a local area network, via the internet, or e-mail. See figure 2A and column 4, lines 20-45. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Moody's emailing of local copies to various users in the system of Brown/Pham because it helps facilitate the feedback process in editing a document.

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12. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al., US 6,067,551, 5/23/00 (filed 11/14/97) in view of Pham et al., US 6,560,719 B1, 6,560,719B1, filed 5/17/00, as applied to claim 13, above, and further in view of Thorne et al., US 5,958,005, 11/28/99 (filed 7/17/97).

In reference to claims 19-20, neither Brown nor Pham teach inserting a default entry into the subject or message body field of the email note; however, Thorne does. Thorne teaches a method for communicating data text messages such as e-mail in which the fields are filled with default values so that the user can retain all the values without having to compose the message. See column 7, lines 1-15 and abstract. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Thorne's default entry into email fields in the system of Brown/Pham since a default entry keeps the user from having to enter information into the fields. See column 7, lines 1-15 of Thorne.

Response to Arguments

13. Applicant's amendments and arguments filed 12/19/06 have been fully considered.

Applicant argues on page 10 of the Remarks that Brown does not disclose "determining whether the original document is open at a second user, wherein the

second user has exclusive rights to save the original document while the original document is open at the second user". Applicant further argues Brown does not teach "in response to a determination that the original document is open at a second user" as stated in various elements of claim 1.

For purposes of examination, Examiner notes an "original document" and a local copy with a path to the original document may not be different. Applicant is requested to distinguish the two. It is the Examiner's view that an original document and a copy of the original document could very well be the same especially if modifications to either the original or local are implemented in the original document. In figure 3, Users A-D are shown as accessing an "original document" either via a path to the original document or direct access; however, it is unclear how the "path" differs from direct access. It appears in figure 3 that all users are accessing the file server for the original document. For example, if the Specification and/or Drawings illustrate that changes made to the original document take place on file server 202 while changes to the local copy are made on a different server, then there may be a distinction between the "original document" and the "local copy". However, Examiner is unable to find such teachings upon her review. Applicant is requested to provide clarification.

Even if assumed that the original document and the local copy are different in that one is acted upon at the file server while others are acted upon at the user's terminal, Examiner believes the applied prior art references, Brown and Miller teach the feature of determining if an original document is open at a second user. In columns 10-11 under the heading "The Multi-User Program Module", Brown teaches, **for single**

user editing of the master copy of the document, the word processing program for one of the remote users opens the master copy of the document from the server, edits the master copy of the document, and saves the edits by overwriting the master copy. For simultaneous, multiple users, such as remote user 1 and remote User 2, the word processing program 36a on the server must keep track of the edits form each user before the master copy is overridden. In other words, Brown teaches that a user can use the master copy (i.e. original document) for which a MCF (multi-user control file) exists to save edits. Please see the rejections above.

Regarding Applicant's argument that "determining whether the original document is open at a second user, wherein the second user has exclusive rights to save the original document while the original document is open at the second user" is not taught by the references. The Examiner disagrees. Brown teaches that if user is the first to access a master copy then the MCF is created and locked when the first user is making a save operation, all other users are denied access to the MCF. See column 12, lines 26-51.

Regarding Applicant's argument that the master copy is never 'open" because every user receives a local copy, Examiner disagrees in light of the teachings of Brown stating that the master copy is accessed by a first user before an MCF (multi-user control file) is created. In other words, an original document is initially accessed before a local copy is created. See columns 11-12.

Regarding claim 13, Applicant argues Brown does not teach setting a flag on the original document indicating it is in use by a user. Brown teaches a unlock/lock flag

associated with a master copy to indicate whether the copy is in use or not by another user. See column 11, lines 43-50. Compare to ***“set a flag on the original document, the flag indicating that the original document is open at the first user”***. If the flag is locked, then there is a specified amount of time to allow the master file to be set in unlock mode so that the user's local copy overwrites the master copy. See figures 2A-2E.

Applicant argues regarding claim 1, on page 14 of the Remarks, Miller does not teach prompting the user to decide to save a local copy with the path of the original document such that a merge can be performed, and saving the local copy without the path to the original document”; however, Applicant has amended this limitation to read “saving the local copy as a separate file compared to the original document”. Miller teaches a user can upload a new version of the file by specifying the location of the file on disk or can indicate that the version of the file currently in the repository is to be retained. See page 10, paragraphs [0175]-[0177]. A user has the option of modifying a file and either uploading it as a new file or different version of a current one, but the file can only be replaced if the user has checked it out which meets the limitation

prompting the first user to decide between saving the local copy with the path of the original document such that a subsequent merge of the saved local copy and the original document can be performed, and saving the local copy as a separate file compared to the original document. See page 9, paragraphs [0166]-[0173].

Furthermore, Brown teaches in response to a save operation, if a current edit is being made to a paragraph in the master copy, the user's local copy is updated to

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correlate with the latest saved version of the master copy, while preserving current edits still pending. If an edit is not being made by another user, then updating the local copy with the latest saved version of the master copy which meets the limitation, ***in response to a receipt of a request to save changes to the local copy, determining whether the original document is still open at the second user; in response to a determination that the original document is still open at the second user, merging the local copy with the original document.*** See figures 2A-2E and figure 3 and column 11, lines 15-67. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Miller's prompting a user to decide on either uploading a new file or replacing the old file in the system of Brown because in a collaborative environment it was desirable to limit the replacing of a file by saving changes when the file was in use by another user in order to better manage the edits made to a document. See page 8, paragraphs [0119]-[0137] and page 10, paragraphs [0175]-[0177].

On pages 15-16, Applicant argues the motivation for combining Pham with Brown. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Examiner

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maintains position that although Miller does not expressly state storing the document location with the *local copy as a registry key associated with the local copy*. Pham teaches a system in which a remote platform is enabled to duplicate each registry key change in a local platform. See abstract. Pham also teaches that a backup of a registry key from a local computer to a remote computer is kept in order to synchronize the data involved upon the occurrence of any changes. Furthermore, a duplicate copy is always stored and available should any problem occur with the local platform such as a modification. See column 2, lines 45-67. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate registry key association with a local copy in the system of Brown because it keeps the user from having to provide a manual backing-up of the registry keys every time something is updated. See column 2, lines 1-15. Furthermore, it saves a considerable amount of time and effort to accomplish the synchronization process. See column 2.

In view of comments above, the rejection is maintained.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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